

OFFICIAL
ILLINOIS COMMERCE COMMISSION

FORMAL COMPLAINT

Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62701

For Commission Use Only:

Case: 03-0152

ORIGINAL

Regarding a complaint by (Person making the complaint): Mark G. Patricoski on behalf of Jays Foods, L.L.C.

Against (Utility name): Commonwealth Edison Company

As to (Reason for complaint) Over Charged

in Chicago Illinois

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is Attorney: 100 West Roosevelt Road, Wheaton, IL 60187

The service address that I am complaining about is 825 East 99th Street, Chicago, IL 60628-1590

My home telephone is (630) 665-9033 x 17 Attorney Mark Patricoski

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at (630) 665-9033 x 17 Attorney Mark Patricoski

(Full name of utility company) Commonwealth Edison Company (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.
Commonwealth Edison Company Rate 6L, Commonwealth Edison Company Rate RCDS

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?

☒ Yes ☐ No

Has your complaint filed with that office been closed?

☐ Yes ☒ No

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

Please find complaint on attached documentation.

Please clearly state what you want the Commission to do in this case:

Jays Foods requests that the Commission order Commonwealth Edison Company to refund all money over billed as calculated by the consulting engineer, LaSalle Associates, Inc. (\$147,150).

Date: March 3, 2003
(Month, day, year)

Complainant's Signature

Mark Patricoski

If an attorney will represent you, please give the attorney's name, address, and telephone number.

You need to file the original with the Commission. Also, provide one copy for each utility complained about (referred to as respondents).

VERIFICATION

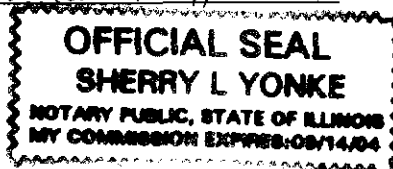
A notary public must witness the completion of this part of the form.

I, MARK PATRICOSKI, first being duly sworn, say that I have read the above petition and know what it says.
The contents of this petition are true to the best of my knowledge.

(Signature) *Mark Patricoski*

Subscribed and sworn/affirmed to before me on (month, day, year) March 4, 2003

Sherry L Yonke
Notary Public, Illinois



NOTE: Failure to answer all of the questions on this form may result in this form being returned without processing. If you have questions, please call the counselor in the Consumer Services Division that handled your informal complaint.

ATTACHED DETAILS FOR FORMAL COMPLAINT – JAYS FOODS VS COMED

Summary

Utility Commonwealth Edison has overcharged Jays Foods for electrical service provided at their 825 East 99th Street on Meter #86130953 from April 26, 1999 to November 25, 02. The errors result from erroneous demand charges caused by meter failure. Please note the following: a) The total connected load on this meter is 400 kW. b) The transformers feeding the service are rated at 500KVA. c) The main fuse on this service is rated 1600 amps at 480VAC. d) Based on previous demand readings, kWhr consumption, and detailed demand data from ComEd, a 200 kW monthly demand is realistic. On at least 22 occasions, Jays has been charged a demand between 400 and 2560 kW on this service which is not capable of sustaining this level of power flow. We note that a demand of 2560 kW is 600% greater than ComEd's transformers servicing this meter and 300% greater than the fuses protecting this service. Since demand must be measured over a 30 minute average, it is obvious and clear that it is impossible for this service to deliver demands of this magnitude.

We have provided all necessary data to substantiate our claim. ComEd, despite changing the meter, argues that no billing errors occurred. The new meter has not registered a demand level above 240 kW since it's installation on Nov. 15, 02. ComEd's only defense, that the old meter had been tested and found OK does not hold up based on the performance of the new meter. ComEd's refusal to refund the customer's money under a barrage of conclusive data turns this equipment failure into theft. We ask that the Commission order ComEd to refund all over billed money as calculated by LaSalle Associates, Inc. and apply whatever penalty you deem appropriate to ComEd for flagrantly attempting to steal from our client.

Attachments

Part 1

Attached copy of informal complaint & ComEd Rate 6L

Part 2

Updated list of over charges to account for months passed since original complaint as well as data showing reduced demand readings with newly installed meter which replaced faulty meter.

Part 3

Additional over charges found & ComEd Rate RCDS

Part 4

Transmittals due to ComEd's concern over replaced transformers

Part 5

ComEd letter refusing to acknowledge a meter/billing error